

VIRGINIA:

BEFORE THE VIRGINIA STATE BAR DISCIPLINARY BOARD

IN THE MATTER OF

CLAUDE MICHAEL SCIALDONE

VSB DOCKET NO. 12-000-091871

ORDER

This matter came before the Board on the Petition for Termination of Suspension for Impairment filed by the Petitioner, Claude Michael Scialdone ("Petitioner"). On November 16, 2012, the matter was heard before a duly convened panel of the Virginia State Bar Disciplinary Board consisting of Pleasant S. Brodnax, III, Chair, Robert W. Carter, Lay Member, Paul M. Black, William H. Atwill, Jr., and Samuel R. Walker. Paul D. Georgiadis, Assistant Bar Counsel, appeared on behalf of the Virginia State Bar. The Petitioner appeared in person and was represented by his attorney, John Kenneth Zwerling. Elliott Purcell Park, Guardian *ad litem* for the Petitioner, also appeared, having been duly appointed by Order of the Virginia State Bar Disciplinary Board on September 20, 2012. The court reporter for the proceeding, Tracey J. Stroh, Chandler and Halasz, P. O. Box 9349, Richmond, Virginia 23227, telephone number 804-730-1222, after being duly sworn, reported the hearing.

The Chair opened the Hearing by polling the Board members to ascertain whether any member had any personal or financial interest or bias which would interfere with or influence each such member's determination, and each member responded that there were no such conflicts.

The Petitioner's license to practice law in the Commonwealth of Virginia was suspended indefinitely by the Board, effective September 11, 2007, on the basis of impairment. The Petitioner has petitioned the Board to terminate his suspension because he no longer suffers from the impairment previously determined, pursuant to Rules of the Supreme Court of Virginia, Part 6, §IV, ¶13-23.

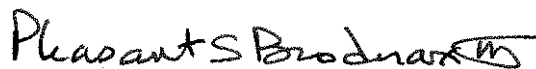
The Petitioner's evidence came in the form of the submission of medical reports from his health care providers with his Petition and oral testimony from the Petitioner and from James E. Leffler, MS, LPC, Executive Director of Lawyers Helping Lawyers, who had examined the Petitioner, whose testimony the Board found credible and persuasive.

The Bar took no position whether to terminate the impairment suspension and presented no evidence.

Upon consideration of the evidence presented, the Board finds that the Petitioner has met the requisite burden of proof that his impairment is terminated and the Board grants the Petition. It is ORDERED, pursuant to Part 6, §IV, ¶13-23(E)(2) of the Rules of the Supreme Court of Virginia, that the indefinite Impairment Suspension of the license to practice law in Virginia of Claude Michael Scialdone is hereby terminated, effective November 16, 2012. The Board also advises the Petitioner to continue to work closely with Lawyers Helping Lawyers. It is further ORDERED that a true copy of this Order shall be mailed by certified mail to the Petitioner, Claude Michael Scialdone, at his address of record at 1238 E. Oceanview Avenue, Norfolk, Virginia 23503, by regular mail to his counsel, John Kenneth Zwerling, at Zwerling, Moseley & Sears, P.C., 114 North Alfred Street, Alexandria, Virginia 22314, and Elliott Purcell Park, Guardian *ad litem* for the Respondent, at Park and Company, P.C., 1011 East Main Street, Suite 300, Richmond, Virginia 23219, and by hand-delivery to Paul D. Georgiadis, Assistant Bar Counsel, 707 East Main Street, Suite 1500, Richmond, Virginia 23219.

ENTERED this 11th day of December 2012.

VIRGINIA STATE BAR DISCIPLINARY BOARD



Pleasant S. Brodnax, III, First Vice Chair